

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MELVIN C. CLEVELAND,

No C 11-02837 CRB (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

ALAMEDA COUNTY SHERIFF,

Defendant(s).

On June 10, 2011, plaintiff filed the instant civil rights action by a prisoner. The court notified plaintiff in writing at that time that the action was deficient because plaintiff did not pay the requisite \$350 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application, including a completed certificate of funds in the prisoner's account and a copy of the prisoner's trust account statement for the last six months. See 28 U.S.C. § 1915(a)(2). Plaintiff was advised that failure to file the requested items within 30 days would result in dismissal of the action.

On June 24, 2011, the court's mail to plaintiff was returned as undeliverable.

On July 27, 2011, plaintiff filed a notice of change of address.

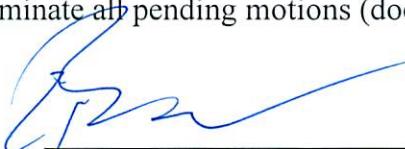
On August 2, 2011, the court notified plaintiff in writing again that the action was deficient because he did not pay the requisite \$350 filing fee or, instead, submit a signed and completed court-approved prisoner's or non-prisoner's in forma pauperis application. The court again advised plaintiff that failure to file the requested items within 30 days would result in dismissal of the action.

1 More than 40 days have elapsed; however, plaintiff has not provided the court with the
2 requisite items, or sought an extension of time to do so. The action is DISMISSED without
3 prejudice.

4 The clerk shall close the file and terminate all pending motions (docket # 2) as moot.

5 SO ORDERED.

6 Dated: Sept. 14, 2011


CHARLES R. BREYER
United States District Judge